

FACSIMILE COVER SHEET

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DATE: Sept. 22. 09

TO: Kenry Haunel
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FROM: Vojillo

No. of PAGES: 8 (including cover)

Notes:

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STATE OF COLORADO

Bill Rilter, Jr., Governor DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WILDLIFE

AN EQUAL OPPORTUNITY EMPLOYER
Thomas E. Remington, Director

6060 Broadway Denver, Colorado 80216 Telephone: (303) 297-1192 wildiffe.state.co.us

September 21, 2009

Ms. Keary Hallack Principal Agent, Siting & Land Rights Public Service Company of Colorado 550 15th St., Suite 700 Denver, CO. 80202 Ms. Nicole Korbe
Sr. Environmental Planner
Tri-State Generation & Transmission Assoc.
1100 West 116th Avenue
Westminster, CO 80234

Re: Calumet-Comancho Electric System Improvement Project

S-002-001

The Colorado Division of Wildlife (CDOW) appreciates the opportunity to comment on the preliminary stages of the Calumet-Comanche Electric System Improvement Project. CDOW also appreciates being involved in the preliminary stages of development, and asks to be involved throughout the process in order to provide the best outcome for wildlife resources within the project area.

Corridor identification is probably the most important factor for CDOW. The best possible corridor from our perspective is the one that causes the least amount of disturbance to the wildlife resource while still allowing you to meet your goals.

CDOW's comments here pertain only to the Calumet-Comanche Electric System Improvement Project which reaches from Walsenburg to Pueblo. CDOW has already provided comments regarding the reach from the San Luis Valley to Walsenburg (see attached letter).

S-002-002

The Macro Corridor Study identifies three existing lines from Calumet to Commence. CDOW will provide comments on each of these three existing features. CDOW feels that an upgrade or new development within those corridors will be least disruptive to wildlife habitat. For purposes of this letter CDOW will follow the segment designations in Figure 3-2 of the Calumet-Comanche Macro corridor Study.

Big Game:

S-002-003

Data on big game habitat was provided to the project proponent in 2008. Of the various segments identified in this study, those identified as A, C, E, O and DD are the least disruptive to big game wildlife.

Avian/Transmission line collision:

S-002-004 I

Avian / transmission line collisions are one of the main concerns along segments following riparian areas. The existing 69-kV and 115-kV lines cross riparian sites several times (Huerfano River, St. Charles River and Salt Creek) and points west of the Saint Charles Reservoir system (all of these sites have considerable use by migrating and resting waterfowl). The existing 230-kV line (Segments A, C, E, O and DD) crosses the Huerfano River and St. Charles Creeks in two remote locations.

DEPARTMENT OF NATURAL RESOURCES, Herris D. Sherman, Executive Director WILDLIFE COMMISSION, Brad Coors, Chair • Tim Glenn, Voo Chair • Dennis Buechler, Secretary Members, Jeffrey Crawford • Donothae Farris • Roy McAnatly • John Singletary • Mark Smith • Robert Streeter Ex Officio Members, Harris Sherman and John Style

S-002-001: NEPA Process (In Review)

Your email/letter/comment form has been received and your comment noted. Tri-State Generation and Transmission Association, Inc. has requested financial assistance from the USDA Rural Utilities Service (RUS), for their anticipated ownership interest in the proposed San Luis Valley – Calumet - Comanche Transmission Project. RUS has determined that funding Tri-State's ownership interest is a federal action requiring analysis under the National Environmental Policy Act (NEPA). RUS is the lead federal agency for NEPA, and will consult with other federal, state, and local agencies, and affiliated tribes as well as adhere to applicable regulations.

Additional information regarding the NEPA process can be found on the RUS project website at http://www.usda.gov/rus/water/ees/environ.htm. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at http://www.usda.gov/rus/water/ees/ea.htm.

S-002-002: Route Refinement > Calumet-Comanche (In Review)

Your email/letter/comment form has been received and your comment noted. Route refinement for the proposed project and mitigation measures will be addressed in the Environmental Impact Statement. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

http://www.usda.gov/rus/water/ees/ea.htm.

S-002-003: Route Refinement > SLV-Calumet (In Review)

Your email/letter/comment form has been received and your comment noted. Route refinement for the proposed project and mitigation measures will be addressed in the Environmental Impact Statement. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

http://www.usda.gov/rus/water/ees/ea.htm.

S-002-004

To avoid Avian/Transmission line collisions, CDOW recommends all lines, especially the top wire, should be as visible as possible. In particular, CDOW recommends use of bird flight diverters in all segments that follow or cross riparian areas.

S-002-005

There are many raptors that utilize these same locations. Raptors will use the newly installed lines for perching and building nests. Transmission lines pose both an electrocution and collision hazard for raptors. Through the Migratory Bird Treaty Act and the Eagle Protection Act, the U.S. Fish and Wildlife Service in cooperation with the Edison Electric Institute has developed Best Management Practices to minimize impacts to avian species. The Division recommends that both the "Suggested Practices for Avian Protection on Power Lines, the State of the Art in 2006" and the "Avian Protection Plan (APP) Guidelines" document published in 2005 be consulted for proper design considerations to minimize raptor electrocution. These documents can be ordered at the Edison Electric Institute web site (www.eci.org) or can be downloaded at the Avian Power Line Interaction Committee web site (www.aplle.org). CDOW suggests that the project proponent consult these documents and consider designs that minimize the risk to raptor electrocutions and collisions.

S-002-006

Aquatic Concerns:

S-002-007

In all corridors, CDOW recommends riparian habitat protection to minimize sedimentation and erosion by providing a minimum of a 50° 'no disturbance' buffer zone on each side of the stream, and avoiding surface disturbance within 300° of the riparian zone to the maximum extent practical. CDOW also advises using existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings that will increase sedimentation and crosson.

Threatened and Endangered Species:

There are no identified threatened and endangered or species of Special Concern within the Calumet-Comanohe Macro Corridor Study area.

Species of Concern:

S-002-008

Burrowing Owls may be found within the preferred corridor. If nesting birds are present during the construction season, CDOW respectfully requests following the attached Recommended Survey Protocol and Actions to Protocol Nesting Burrowing Owls.

S-002-009

Again, CDOW thanks you for the opportunity to comment on the preliminary stages of the Calumet-Comanche Electric System Improvement Project. I would like to conclude by recommending corridor segments A, C, E, O and DD. These corridor segments mentioned above will help to mitigate the greatest wildlife resource conflicts.

If you have any questions regapding these comments, please contact my office.

Sincerely,

Dan Frenzlow, Southeast Region Manager

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Mike Trujillo, Area Wildlife Manager Dave Lovell, Assistant Regional Manager Al Trujillo, Regional Energy Liaison Dan Lewis, DWM Jeremiah Johnson, DWM Ed Schmal, Conservation Biologist

S-002-004: Wildlife (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to wildlife from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

http://www.usda.gov/rus/water/ees/ea.htm.

S-002-005: Wildlife (In Review)

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S-002-006: Wildlife (In Review)

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S-002-007: Water Resources (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to water resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.



RECOMMENDED SURVEY PROTOCOL AND **ACTIONS TO PROTECT NESTING BURROWING OWLS** WHEN CONDUCTING PRAIRIE DOG CONTROL

Western Burrowing Owls (Athene cunicularia hypugaea) are commonly found in prairie dog towns throughout Colorado. Burrowing owls require prairie dog or other suitable burrows (e.g. badger) for nesting and roosting. Burrowing owls are migratory, breeding throughout the western United States, southern Canada, and northern Mexico and wintering In the southern United States and throughout Mexico.

Federal and state laws prohibit the harming or killing of burrowing owls and the destruction of active nests. It is quite possible to inadvertently kill burrowing owls during prairie dog poisoning projects, removal of prairie dogs, destruction of burrows and praine dogs using a concussive device, or during earth moving for construction. Because burrowing owls often hide in burrows when alarmed, it is not practical to haze the birds away from prairie dog towns prior to prairie dog poisoning/removal, burrow destruction, or construction activity. Because of this, the Colorado Division of Wildlife recommends surveying prairie dog towns for burrowing owl presence before potentially harmful activities are initiated.

The following guidelines are intended as advice on how to determine if burrowing owls are present in a prairie dog town, and what to do if burrowing owls are detected. These guidelines do not quarantee that burrowing owls will be detected if they are present. However, adherence to these guidelines will greatly increase the likelihood of detection.

Burrowing owls typically arrive on breeding grounds in Colorado in late March or early April, with nesting beginning a few weeks later. Active nesting and fledging has been recorded and may be expected from late March through early August. Adults and young may remain at prairie dog towns until migrating to wintering grounds in late summer or early autumn.

Surveys should be conducted during times when burrowing owls may be present on prairie dog towns. Surveys should be conducted for any activities occurring between March 15th and October 31st. No burrowing owls are expected to be present between November 1st and March 14th.

Daily Timing

Burrowing owls are active throughout the day; however, peaks in activity in the morning and evening make these the best times for conducting surveys (Conway and Simon 2003). Surveys should be conducted in the early morning (1/2 hour before sunrise until 2 hours after sunrise) and early evening (2 hours before sunset until 1/2 hour after sunset).

Number and locations of survey points
Burrowing owls are most frequently located visually, thus, obtaining a clear view of the entire prairie dog town is necessary. For small prairie dog towns that can be adequately viewed in their entirety from a single location, only one survey point is necessary. The survey point should be selected to provide unobstructed views (with binoculars if necessary) of the entire prairie dog town The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at http://www.usda.gov/rus/water/ees/ea.htm.

S-002-008: Wildlife (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to wildlife from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

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http://www.usda.gov/rus/water/ees/ea.htm.

S-002-009: Route Refinement > Calumet-Comanche (In Review)

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(burrow mounds and open areas between) and all nearby structures that may provide perches (e.g., fences, utility poles, etc.)

For prairie dog towns that can not be entirely viewed from a single location because of terrain or size, enough survey points should be established to provide unobstructed views of the entire prairie dog town and nearby structures that may provide perches. Survey locations should be separated by approximately 800 meters (1/2 mile), or as necessary to provide adequate visual coverage of the entire prairie dog town.

Number of surveys to conduct

Detection of burrowing owls can be highly variable and multiple visits to each site should be conducted to maximize the likelihood of detecting owls if they are present. At least three surveys should be conducted at each survey point. Surveys should be separated by approximately one week

Conducting the survey

- Weather Considerations
 Because poor weather conditions may impact the ability to detect burrowing owls, surveys should only be conducted on days with little or no wind and no precipitation.
- <u>Passive surveys</u>. Most burrowing owls are detected visually. At each survey location, the
 observer should visually scan the area to detect any owls that are present. Some
 burrowing owls may be detected by their call, so observers should also listen for burrowing
 owls while conducting the survey.
 - Burrowing owls are frequently detected soon after initiating a survey (Conway and Simon 2003). However, some burrowing owls may not be detected immediately because they are inconspicuous, are inside of burrows, or are not present on the site when the survey is initiated. We recommend that surveys be conducted for 10 minutes at each survey location.
- <u>Call-broadcast surveys</u> To increase the likelihood of detecting burrowing owls, if present, we recommend incorporating call-broadcast methods into burrowing owl surveys. Conway and Simon (2003) detected 22% more burrowing owls at point-count locations by broadcasting the primary male (coo-coo) and alarm (quick-quick) calls during surveys. Although call-broadcast may increase the probability of detecting burrowing owls, most owls will still be detected visually.
- We recommend the following 10-minute timeline for incorporating call-broadcast methods (Conway and Simon 2003, C. Conway pers. commun.). The observer should scan the area for burrowing owls during the entire survey period.
 - o 3 minutes of silence
 - o 30 seconds call-broadcast of primary call (coo-coo)
 - o 30 seconds silence
 - o 30 seconds calf-broadcast of primary call (coo-coo)
 - o 30 seconds silence
 - o 30 seconds call-broadcast of alarm call (quick-quick-quick)
 - o 30 seconds slience
 - 4 minutes of silence

Calls can be broadcast from a "boom box" or a portable CD or cassette player attached

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to amplified speakers. Calls should be broadcast loudly but without distortion.

Compact discs recordings of this survey sequence are available free of charge by contacting:

David Klute
All-bird Conservation Coordinator
Colorado Division of Wildlife
6060 Broadway
Denver, CO 60216
Phone: 303-291-7320
Email; David,Klute@state.co.us

Identification

Adult burrowing owls are small, approximately 9-11 inches. They are brown with white spotting and white barring on the chest. They have long legs in comparison to other owls and are frequently seen perching on prairie dog mounds or other suitable perches (e.g., fence posts, utility poles) near prairie dog towns. Juvenile burrowing owls are similar to adults but smaller, with a white/buff colored chest that lacks barring.

General information about burrowing owls is available from the Colorado Division of Wildlife website:

http://wildlife.state.co.us/WildlifeSpecjes/Profiles/Birds/BurrowingOwl.htm

Additional identification tips and information are available from the U.S. Geological Survey Patuxent Wildlife Research Center website: http://www.mbr-pwrc.usgs.gov/id/fram/st/i3780id.html

What To Do If Burrowing Owls Are Present

If burrowing owls are confirmed to be present in a prairie dog town, there are two options before proceeding with planned activities:

- Wait to initiate activities until after November 1st or until it can be confirmed that the owls have left the prairie dog town.
- 2. Carefully monitor the activities of the owls, noting and marking which burrows they are using. This is not easy to accomplish and will require considerable time, as the owls may use several burrows in a prairie dog town. When all active burrowing owl burrows have been located and marked, activity can proceed in areas greater than 150 feet from the burrows with little danger to the owls. Activity closer than 150 feet may endanger the owls.

Reference

Conway, C. J. and J. C. Simon. 2003. Comparison of detection probability associated with Burrowing Owl survey methods. Journal of Wildlife Management 67:501-511.

revised 03/2007

See also:" Controlling Prairie Dogs: Suggestions For Minimizing Risk To Non-Target Wildlife Species" Colorado Division of Wildlife 03/2007

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STATE OF COLORADO

Bill Ritter, Jr., Governor

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WILDLIFE

Thomas E. Remington, Director 6030 Brosdway Denver, Colorado 60219 Telephone: (303) 297-1192

wildlife state cours



Date: August 12, 2008

Nicole Korbe Senior Environmental Planner 1100 W. 116th Ave. Westminster, CO 80234

P.O. Box 33695 Denver, CO 80233

RE: Trl- State 230-kilovolt Transmission Line Project Proposal (Walsenburg to San Luis Valley Sub-station)

Dear Ms. Korbe,

On behalf of the Colorado Division of Wildlife (CDOW), I would like to thank you for the opportunity to comment on the preliminary stages of the Tri-State Transmission Line Project. CDOW appreciates being involved in the preliminary stages of development, and asks to be involved throughout the process in order to provide the best outcome for wildlife resources within the project area.

Corridor identification is probably the most important factor for CDOW. The best corridor is the one that causes the least amount of disturbance to wildlife resources and allows you to meet your goals as well. I will address big game species such as deer, elk and pronghorn first, and then move on to avian concerns, which will be the most significant for this project, and finish with aquatic species issues.

Big Game Concerns

From Walsenburg to La Veta Pass, our preference is for corridor sogments C, E, G, and H occause they have the fewest additional impacts. This alternative utilizes an existing right-of-way where a big transmission line already exists for a major portion of the proposed route. The Tri-State map shows the corridor going through an avoidance area (elk calving area), but we believe those impacts would be partly mitigated by the overall reduced impacts of using this existing right-of-way. This proposed route has minimal new right-of-way disturbance. The other alternatives (O, N, M, & P) all have significant additional impacts with many more miles of new right-of-way disturbance.

S-002-011

5-002-010

S-002-012

S-002-013

From La Veta Pass to Alamosa, corridor segments O and P both travel through elk and deer winter ranges and elk winter concentration areas. CDOW recommends that corridor segment Q be considered the preferred route since there is already an existing disturbance, Highway 160, located in that corridor. Although there would be disturbance to elk, deer and antelope winter ranges and elk severe winter range, corridor segments R, T, and U are recommended because it would not be as critical as usage of corridor segment S. We highly recommend corridor segment S not be considered. Many elk, deer, and a few antelope utilize this corridor heavily during winter months, making it a very important winter concentration area. If the transmission line cannot be located in the corridor segments adjacent to Highway 160, CDOW recommends that construction and maintenance be conducted after April 15th and prior to December 1th to minimize disturbance to wintering deer, elk, and

Avian/Transmission line collision

Avian/ transmission line collisions are one of the main concerns along corridor segments T, U, V, W, X, Y, Z, and other corridor segments proposed leading up to the sub-station. There are numerous migratory birds that use what is considered a triangle of very important wetlands, grain fields and roosting areas to the north, south and east of the proposed corridors. Blance Wetlands (BLM), San Luis Lakes State Park, and Head Lake (Wildlife Area) lay to the north of the proposed corridor segments T, U, V, W and X. The Alamosa Wildlife Refuge and Smith Reservoir (State Wildlife Area) are located to the

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S-002-010: Route Refinement > SLV-Calumet (In Review)

Your email/letter/comment form has been received and your comment noted. Route refinement for the proposed project and mitigation measures will be addressed in the Environmental Impact Statement. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

http://www.usda.gov/rus/water/ees/ea.htm.

S-002-011: Route Refinement > SLV-Calumet (In Review)

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S-002-012: Route Refinement > SLV-Calumet (In Review)

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http://www.usda.gov/rus/water/ees/ea.htm.

S-002-013: Construction (In Review)

late 2010 and will be available at

Your email/letter/comment form has been received and your comment noted. Potential impacts from construction of the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

http://www.usda.gov/rus/water/ees/ea.htm.

S-002-014

S-002-015

south of corridor segments T, U, V, W, X, and Z. During the spring and fall of every year, thousands of Sandhill Cranes will use these areas for freeding and roosting. Pelleans will also migrate between San Luis Lakes, Alamosa Wildlife Refuge, and Smith Reservoir. Corridor segments EE, FP, and HH should be avoided because of waterflow! and crane activity in the area. Corridor segments AA and EE are near roosting sites located along the Rio Grande. Corridor segments FF and HH are located near agricultural fields that are used as feeding areas by cranes and waterfowl. CDOW recommends that Tri-State consider using corridor segments T, U, W, Z, AA, DD, GG, II and JJ. Although these corridors can still be devimental to raptors, feeding waterfowl and cranes, we consider corridor segments V, X, Y, CC, BB, EE, FF, and HH to impact avian species at a greater level.

S-002-016

To avoid Aviar/ Transmission Line Collisions, we recommend marking all lines, especially the top wire, throughout the entire project to make the line as visible as possible. Wind and fog can be severe in the corridors mentioned so it is critical to have lines as visible as possible. More emphasis on visibility of lines should be considered in corridor segments T, U, W, Z, AA, DD, GG, II, and JJ. CDOW recommends that Tri-State install Yellow Swan Flight Diverters on overhead static wires. This procedure has been used on transmission lines throughout the San Luis Valley and has had successful results for avoiding collisions. It is possible to stagger Swan Flight Diverters to minimize the number of devices required and cost, CDOW also recommends making the project as raptor safe as possible. There are many raptors that utilize these same locations. Raptors will use the newly installed line for perching and building nests. Transmission lines pose both an electrocution and collision hazard for raptors. CDOW suggests that Tri-state consult with EDM International, Inc. and the Avian Powerline interaction committee (APLIC) to consider designs that minimize the risk of raptor electrocutions and collisions

S-002-017

Aquatic Concerns

CDOW's primary concern regarding aquatic species is to protect riparian habitat along all streams, reduce crossion and sedimentation by minimizing stream crossings, and protect Ric Grande cutthroat waters. The Rio Grande Cutthroat trout is a candidate species under the Endangered Species Act, and a Colorade species of special concern.

S-002-018

Wagon Creek, which is located along corridor segment P, has a core conservation population of Rio Grande Cutthroat. Also Sangre De Cristo Creek, located along corridor segments Q and R, has a core conservation population of Rio Grando Cuthroat. Corridor segment S, which would cross the Blanca Trinchera Ranch, would impact Ute Creek. Ute Creek is good habitat for a Rio Grande cutthroat trout population. Cottonwood Creek along the same corridor is a potential Rio Grande Sucker reintroduction site for the endangered species. Recommendations for this corridor would be to minimize disturbance to riparian habitat and sedimentation from stream crossings at Ute Creek and Cottonwood Creek. The CDOW recommends removal of corridor S from the host of alternatives.

S-002-019

In all Corridors, CDQW recommends riparian habitat protection to minimize sedimentation and erosion by providing a minimum of a 50 foot no disturbance buffer zone on each side of the stream, and avoiding surface disturbance within 300 feet of the riparian zone to the maximum extent practical. CDOW also advises using existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings that will increase sedimentation and erosion.

S-002-020

Again, I thank you for the opportunity to comment on the preliminary stages of the Tri-State project. I look forward to commenting on specifics when the project is brought before the counties which will be Impacted. I would like to conclude by recommignifing (from Walsenburg to the San Luis Valley Substation) corridor segments C. E. G. H. O. R. T. U. W. Z. AA. DD, GG, il and IJ. All corridors proposed will impact the wildlife resource in one way or another but the corridor segments mentioned above will help to mitigate Avian/Transmission line Collision, the biggest concern to the wildlife resource.

If you have my questions regarding these comments, please contact my office.

For Thomas Spezze, Southwest Region Manager Colorado Division of Wildlife

> DEPARTMENT OF NATURAL RESOURCES, Harris D. Sherman, Executive Director WILDLIFE COMMISSION, Robert Bray, Chair . Brad Coors, Vice Chair . Tim Glenn, Secretary Members, Cennis Buechler & Jeffrey Crawford & Dorothea Fanta & Roy McAnally & Richard Ray & Robert Streete: Ex Officio Members, Harris Shennen and John Stulp

S-002-014: Route Refinement > SLV-Calumet (In Review)

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S-002-015: Route Refinement > SLV-Calumet (In Review)

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S-002-016: Wildlife (In Review)

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S-002-017: NEPA Process (In Review)

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requiring analysis under the National Environmental Policy Act (NEPA). RUS is the lead federal agency for NEPA, and will consult with other federal, state, and local agencies, and affiliated tribes as well as adhere to applicable regulations.

Additional information regarding the NEPA process can be found on the RUS project website at http://www.usda.gov/rus/water/ees/environ.htm. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

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S-002-018: Route Refinement > SLV-Calumet (In Review)

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S-002-019: Water Resources (In Review)

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S-002-020: Route Refinement > SLV-Calumet (In Review)

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late 2010 and will be available at http://www.usda.gov/rus/water/ees/ea.htm.